

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ANTHONY ROBERTSON,

Petitioner,

vs.

BARBARA LEWIEN, Warden;

Respondent.

**8:19CV104**

**MEMORANDUM  
AND ORDER**

This is a habeas corpus case. In the process of conducting a preliminary review of Petitioner Anthony Robertson's Petition for Writ of Habeas Corpus ([filing no. 1](#)) brought pursuant to [28 U.S.C. § 2254](#), I discovered that the Honorable James E. Doyle, IV was the state trial judge who presided over Mr. Robertson's criminal case. Pursuant to [28 U.S.C. § 455\(a\)](#), my impartiality might reasonably be questioned because of my recent discussions with Judge Doyle regarding a significant matter unrelated to this case.<sup>1</sup>

IT IS THEREFORE ORDERED that the clerk's office shall randomly assign a new judge to this case and request a reassignment order from the Chief Judge. The chief pro se staff attorney will assist the judge to whom the case is reassigned *if requested to do so*.

Dated this 22nd day of July, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge

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<sup>1</sup> When I left the practice of law in 1987, Judge Doyle was one of my law partners. That fact alone would not cause me to recuse myself. It is the recency and substance of my discussions with the judge that cause me to recuse myself.